

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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GARY SOUJA, Individually and as  
Special Administrator for the Estate  
of OSWALD F. SUOJA, Deceased,

Plaintiff,

v.

Case No. 3:99-cv-00475-bbc

OWENS-ILLINOIS, INC.,

Defendant.

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**OWENS-ILLINOIS, INC.'S  
RULE 26(a)(3) PRETRIAL DISCLOSURES**

Owens-Illinois, Inc. ("Owens-Illinois") submits the following pretrial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(3).

**Rule 26(a)(3)(A)(i) Witness Disclosure**

Owens-Illinois may call the following witnesses if the need arises at trial, other than solely for impeachment:

1. Earl D. Gregory, Ph.D., CIH, CSP, 5718 Yamassee Dr., Hamilton, Ohio
2. Peter Neushul, Ph.D., 915 Camino Lindo, Goleta, California
3. Ralph Van Beck, 3264 Little Marsh Road, Fish Creek, Wisconsin
4. Verlyn Mueller or another custodian of records from the Badger History Group, Inc., P.O. Box 113, Prairie du Sac, Wisconsin, and the Museum of Badger Army Ammunition, US Highway 12, Sumpter, Wisconsin
5. Glenn Longacre or another custodian of records from the National

Archives and Records Administration, 7358 South Pulaski Road, Chicago, Illinois

6. Owens-Illinois reserves the right to call any witness identified by Plaintiff.
7. Owens-Illinois reserves the right to call any witness necessary to authenticate records or establish admissibility.
8. Owens-Illinois reserves the right to call any witness whose testimony cannot be reasonably anticipated at this time, for the purpose of impeachment, rebuttal, or any other purpose allowed by law.

**Rule 26(a)(3)(A)(ii) Prior Testimony Disclosure**

Owens-Illinois may present the following witnesses by their prior testimony if the need arises at trial, other than solely for impeachment:

1. Willis G. Hazard, deceased
2. John Locher, deceased
3. Elmer Borchardt, deceased
4. Don Popalisky, deceased
5. Ralph Van Beck, 3264 Little Marsh Road, Fish Creek, Wisconsin
6. William L. Lea, deceased
7. Dohrman H. Byers, deceased
8. William Z. Fluck, deceased
9. Otto Kern, deceased
9. Frank Hofstetter, deceased
10. Owens-Illinois reserves the right to present any witness by prior testimony to authenticate records or establish admissibility.

11. Owens-Illinois reserves the right to present any witness by prior testimony that cannot be reasonably anticipated at this time, for the purpose of impeachment, rebuttal, or any other purpose allowed by law.

**Rule 26(a)(3)(A)(iii) Exhibit Disclosure**

Owens-Illinois may present the following documents or other exhibits if the need arises at trial, other than solely for cross-examination or impeachment:

1. Owens-Illinois Initial Exhibit List
2. Owens-Illinois reserves the right to present any documents or other exhibits identified by Plaintiff.
3. Owens-Illinois reserves the right to present any documents or other exhibits that cannot be reasonably anticipated at this time, for the purpose of impeachment, rebuttal, or any other purpose allowed by law.

Dated: October 19, 2015

Respectfully submitted,

By: /s/ Brian O. Watson  
Edward Casmere  
Brian O. Watson  
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*Attorneys for Defendant*  
*Owens-Illinois, Inc.*

**CERTIFICATE OF SERVICE**

I certify that on October 19, 2015, these papers were filed with the Clerk of the Court for the United States District Court for the Western District of Wisconsin using the CM/ECF system, which will send notification of such filing upon all parties who have appeared.

/s/ Brian O. Watson  
Brian O. Watson

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